

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

UNITED STATES OF AMERICA,

Case No. 2:17-CR-306 JCM (VCF)

Plaintiff(s),

ORDER

v.

SVYATOSLAV BONDARENKO, et al.,

Defendant(s).

Presently before the court is defendant Pius Sushil Wilson's *pro se* motion for a sentence reduction under Amendment 821 of the United States Sentencing Guidelines. (ECF No. 1147). Amendment 821 is a retroactive amendment that provides a two-level downward offense level adjustment for certain zero-point offenders whose offenses fit within the guideline's criteria. *See* USSG § 4C1.1.

The court sentenced Wilson on September 22, 2021. (ECF No. 954). Wilson filed the instant motion *pro se* and was thereafter appointed a federal public defender pursuant to General Order 2023-09.¹ (ECF No. 1154).

Wilson's counsel filed a notice of non-eligibility. (ECF No. 1157). She informs the court that Wilson did not receive any "status" criminal history points at the time of sentencing and is therefore ineligible for a reduction under Part A of Amendment 821. Wilson also does not qualify for a reduction under Part B because his adjusted sentence guideline range after a two-level

¹ General Order 2023-09 presumptively appointed counsel for any defendant "previously determined to have been entitled to appointment of counsel, or who is now entitled to appointment of counsel, to determine whether that defendant may qualify for retroactive relief under Amendment 821."

1 reduction (292-365 months) would still be higher than the original sentence imposed by the court
2 (84 months).

3 Counsel has already informed Wilson he is ineligible for a sentence reduction. (ECF No.
4 1157). The court does not find reason to deviate from counsel's findings.

5 Accordingly,

6 IT IS HEREBY ORDERED, ADJUDGED, and DECREED that defendant's motion for a
7 sentence reduction (ECF No. 1147) be, and the same hereby is, DENIED.

8 DATED October 18, 2024.

9 
10 UNITED STATES DISTRICT JUDGE
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28